IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICITON

INCOME TAX APPEAL NO.981 OF 2004

The C.I.T. Mumbai City XVI .. Appellant.

Versus

M/s.Bombay Cold Storage .. Respondent.

Mr.P.S. Sahadevan for the appellant.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 8TH OCTOBER, 2007.

P.C. :

1. The Tribunal has concurred with the finding of fact recorded by the C.I.T. (A) that 97% of the sales made by the appellant was to the sister concerns and the sister concerns had advanced substantial amounts. In these circumstances, the Tribunal observed that selling ice to the sister concern at a rate lesser than to the outsiders is understandable. This is purely a finding of fact.

2. In the light of that, question of law as framed would not arise. Hence, the appeal is dismissed.

(F.I. REBELLO, J.)

(J.P. DEVADHAR, J.)